

doth know, or is credibly informed and verily believes, that the said debtor is not a citizen of this state, and that he or she doth not reside therein, and also, (in the case of the debtor being a citizen of this state,) on the oath or affirmation of the said creditor made as aforesaid, that he or she doth know, or is credibly informed and verily believes, that the said debtor is actually run away or fled from justice, or removed from his or her place of abode, with intent to injure and defraud his or her creditor or creditors, the said judge of the general court, justice of the county court, or justice of the peace, shall be and he is hereby fully authorized and required forthwith to issue his warrant to the clerk of the general or of the county court, as the case may require, to issue an attachment or attachments against the lands, tenements, goods, chattels and credits, of the said debtor; upon the receipt of which warrant, together with the proofs on which the same was granted, and not otherwise, the clerk of the general or of the county court, (as the case may require,) shall issue such attachment or attachments, in which there shall be the same clause of scire facias as by the act to which this is a supplement is directed to be inserted in attachments awarded by either of the said courts, and the like process and proceedings shall and may be had thereon as are required and prescribed by the said act upon attachments awarded as aforesaid.

SEC. 2. *And be it enacted*, That the oath or affirmation of such creditor, made as aforesaid before a judge of any other of the United States, shall not be good and sufficient evidence, unless there be thereto annexed a certificate of the clerk of the court of which he is a judge, or certificate of the governor, chief magistrate or notary public, of such state, that the said judge hath authority to administer such oath or affirmation. Oath of creditor not good, &c.

SEC. 3. *And be it enacted*, That upon the issuing of every attachment as aforesaid, there shall be therewith issued a writ of capias ad respondendum against the defendant, and a declaration or short note, expressing the plaintiff's cause of action, shall moreover be filed, and a copy thereof shall be sent with the writ, to be set up at the court-house door by the sheriff. Provision in cases of attachments &c.

SEC. 4. *And be it enacted*, That to every attachment issued in pursuance of this act, the garnishee may plead in behalf of the defendant such plea or pleas as the said defendant might or could do if he had been taken by the sheriff under the writ of capias ad respondendum, issued as aforesaid, and had accordingly appeared to the same. Garnishee may plead, &c.

SEC. 5. *And be it enacted*, That in all cases of attachments, it shall and may be lawful for the plaintiff to exhibit interrogatories, in writing, to the garnishee aforesaid, who shall, by rule Plaintiff may exhibit interrogatories, &c.